

2000/WEB 03:52 PM
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Central Washington

LAWRENCE E. MARTIN
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Death Meeting 11.002
Nov 2005

Received from
Larry Brown
for Vista Views
Estate

RECEIVED

NOV 7 2006

KITTITAS COUNTY
CDS

October 18, 2006

MDJ Development, Incorporated
c/o _____
700 East Mountainview Avenue, Ste. 505
Ellensburg, WA 98926

Re: Ellensburg Water Company

Dear Mr. _____:

Please be advised that my office represents Ellensburg Water Company ("EWC"). It is my understanding that you have had numerous discussions with Larry Browne regarding your development at Vista View Estates located at _____, Ellensburg, Washington. You have applied for a property subdivision through Kittitas County identified as No. P-05-03 for the potential development of 205 houses.

As you are well aware, it is a requirement of Kittitas County ordinances, consistent with State law, that prior to the approval of any subdivision you need the necessary approval of the Ellensburg Water Company. Unfortunately the full and complete plans were not provided to Ellensburg Water Company in a timely manner. You are now requesting that EWC sign off on the subdivision prior to providing full and complete plans to EWC for their review and approval.

I have discussed this with Ellensburg Water Company and they would be willing to sign the subdivision under the following conditions:

1. That within 12 months, you and your corporation will provide full and complete plans of the entire conveyance system from the Ellensburg Water Company main canal to your property, all of which must be approved at the sole discretion of Ellensburg Water Company.
2. That you and your corporation will fully comply with any and all requirements as set forth in the Resolution of Ellensburg Water Company set forth in the Minutes of May 10, 2004, a copy of which is enclosed herein. Again all

MDJ Development, Incorporated

c/o _____

October 18, 2006

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compliance and plans must be approved by Ellensburg Water Company and they have sole discretion as to whether to approve said plans.

3. MDJ Development, Incorporated will pay a fee of \$_____ for purposes of the extra work and attorneys fees necessary to reach this resolution within ten (10) days of the date of this letter.

4. That no water will be delivered to the above referenced parcel until all conditions have been met and the plans approved by Ellensburg Water Company. Although you may have 12 months to complete and receive approval of all plans, no water will be delivered until such time as the necessary systems are installed.

5. In addition, if such system plans are not approved and installed 12 months from the date of this letter, MJD Development, Inc. agrees to forfeit all its water shares appurtenant to the property back to Ellensburg Water Company.

6. That this Agreement shall be binding on all successors, assigns, and future owners of any portion of the real property.

7. MJD Development, Incorporated agrees that this Agreement and the terms herein may be incorporated into a document suitable for recording with the Kittitas County Auditor.

If all of the above terms are agreeable, please sign and date on the lines set forth below and deliver a copy directly to Ellensburg Water Company.

Very truly yours,

Lawrence E. Martin

Enclosure

MDJ Development, Incorporated

c/o _____

October 18, 2006

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Read and agreed to:

MDJ Developments, Inc.

By: _____

Its: _____

Dated: _____

Mr. _____, personally